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Appl. No. 10/613,296
Atty. Docket No. 9322
Amdt. dated February 9, 2007
Reply to Office Action of November 20, 2006
Customer No. 27752

REMARKS

Claim Status

Claims 1-19 are pending in the present application. No additional claims fee is believed to be due.

Claims 3 and 18 have been withdrawn as a result of a prior restriction requirement.

Claims 1 has been amended to include the limitation of former claim 7, which has been cancelled. Therefore such amendment cannot reasonably require a new search.

Claims 2, 4, 8, 9, 10, and 11 have been amended to be consistent with the amendment of Claim 1.

Claim 5 has been amended to correct a typographical error.

Claims 7, 16, 17, and 19 are cancelled.

It is believe that no new matter is introduced by the amendments presented herein.

Rejection Under 35 USC §102(a) Over Chen et al. (US 2003/0083631)

Claims 1, 2, 4-17, 19 have been rejected under 35 USC §102(a) as being anticipated by Chen et al. (US 2003/0083631).

Claim 1 as amended recites a limitation, formerly in Claim 7, that the facing layer has "facing layer zones of enhanced extensibility."

In the Office Action, the rejection of Claim 7 stated: "Chen discloses the facing layer is embossed the first absorbent layer (paragraph 0050)."

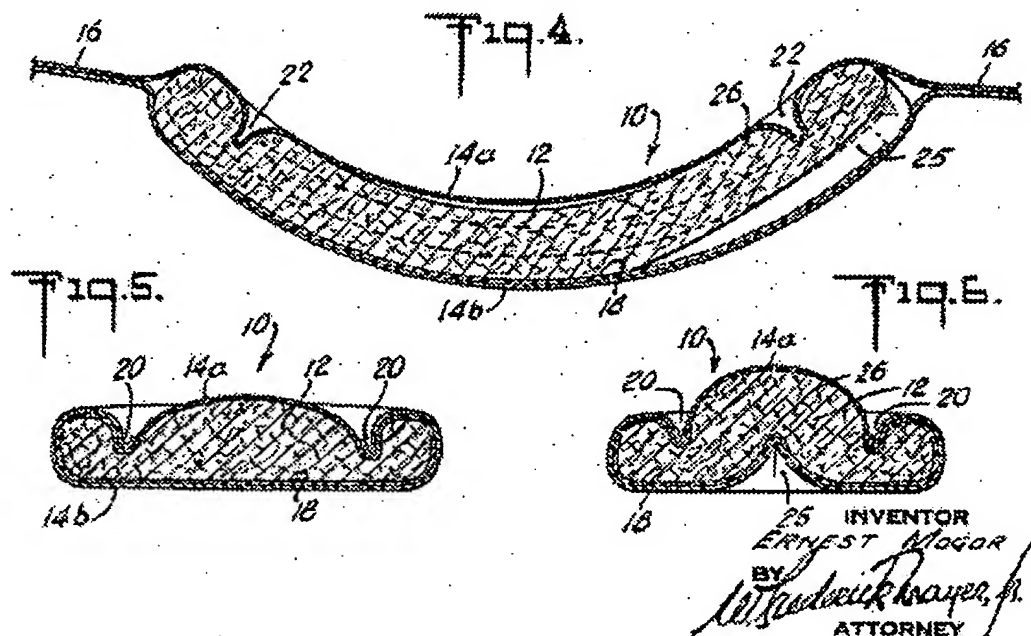
Applicants respectfully submit that the Office Chen falls short of anticipating disclosure. Paragraph 0050 is reproduced in full below:

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[0050] Crease lines and shaping lines can also be created by bonding a portion of the cover or backsheet to a compressed portion of the absorbent material using the methods described by Mogor in U.S. Pat. No. 3,575,174, issued Apr.

20, 1971, herein incorporated by reference in its entirety. The articles of the present invention can also comprise embossments in the back region of the article to promote an inverted V-shape fold in the rear of the article for more comfortable article placement between the buttocks of a user.

The method of Mogor makes "deep embossed channels", which are best represented by the following figures from Mogor, in which "20" is a channel, and "14" is the cover sheet.



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From a close inspection of the disclosure of Chen, including the incorporated by reference disclosure of Mogor, it is impossible to ascertain the material properties of the channel portions. Neither Chen nor Mogor disclose the channels as being either "zones of enhanced extensibility" for the facing layer, or "zones of extensibility" for the absorbent layer. In fact, Applicants can find no disclosure in either Chen or Mogor of extensible facing layers or extensible absorbent layers.

Accordingly, Applicants respectfully submit that amended Claim 1, which is limited in amended form with the limitation of former Claim 7, is not anticipated by Chen. Applicants respectfully request that the 35 USC §102(a) rejection of Claim 1 and its dependent claims be withdrawn.

Conclusion

Early and favorable action in the case is respectfully requested.

Respectfully submitted,

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